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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR  | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|-----------------------|---------------------|------------------|
| 10/672,594      | 09/27/2003  | Jeffrey Donald Wright |                     | 8653             |

7590 04/28/2004

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EXAMINER

JOHNSON, STEPHEN

| ART UNIT | PAPER NUMBER |
|----------|--------------|
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3641

DATE MAILED: 04/28/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

10/672,594

**Applicant(s)**

WRIGHT, JEFFREY DONALD

**Examiner**

Stephen M. Johnson

**Art Unit**

3641

-- **Th MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 27 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

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1. The disclosure is objected to because of the following informalities: On page 7, line 1, numerical indicator 200 should be 50. On page 7, line 6, numerical indicator 70 should be 50.

Appropriate correction is required.

2. Claims 1-9 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 1, lines 8 and 10, the phrase “said handle” should be (said handle portion) if this is the intended antecedent. In claim 1, lines 13, 15, and 18, the terms “a standard ammunition belt”; “a standard bullet”; and “a standard machine gun” make the claims indefinite as to what features of an ammunition belt; bullet, or machine gun must be present to be considered standard. In claim 1, line 13, what is considered to be inclusive in the term “it” is indefinite. In claim 1, line 18, the phrase “the feed pawl” lacks an antecedent. In claim 1, line 19, the phrase “said head” should be claimed as (said head portion) if this is the intended antecedent. In claims 2, 3, and 4, the phrase “said head” should be (said head portion) if this is the intended antecedent. In claim 2, the phrases “the M 60 machine gun” and “the 240 Golf machine gun” lack antecedents. In claim 2, what features of a machine gun need be present to qualify the machine gun as either an M 60 machine gun or a 240 Golf machine gun. If there are not features common to all of these particular machine guns that are well known in this art or if the written specification does not provide support for what these features are, such claim language is indefinite as to its intended scope. In claim 3, it is not understood as to how “**any** 7.62 mm ammunition belt” could be used with this invention in view of the number and variation in types of 7.62 mm ammunition belts available in this art. In claim 5, what military specifications are

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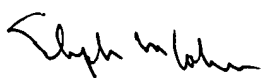
intended by the phrase "military specifications"? In claim 6, how is the term "a machine gun" intended to relate to the previously claimed (machine gun) (see claim 1)? In claim 6, the phrase "the feed tray" lacks an antecedent. In claim 9, what the word "it" is intended to reference is indefinite.

3. Claims 1-9 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action.

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Horowitz et al., Bentley et al., Pachmayr et al., Sprenger et al., Angier et al., and Zbrojovka disclose state of the art ammunition feeding arrangements.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen M. Johnson whose telephone number is 703-306-4158. The examiner can normally be reached on Tuesday through Friday. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Carone can be reached on 703-306-4198. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-306-4177.

The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9326. The fax phone number for after final communications is (703) 872-9327.



STEPHEN M. JOHNSON  
PRIMARY EXAMINER

Stephen M. Johnson  
Primary Examiner  
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SMJ